

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS ROMAN GORIVODSKY		DEFENDANTS AMAZON LOGISTICS																													
(b) County of Residence of First Listed Plaintiff <u>BERGEN</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>		County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.																													
(c) Attorneys (Firm Name, Address, and Telephone Number) Adam S. Barrist, Esq., 215-432-8829 P.O. Box 1820, Media, PA 19063		Attorneys (<i>If Known</i>)																													
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) <i>(For Diversity Cases Only)</i>																													
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	Citizen of This State <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input type="checkbox"/> 4																													
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5																													
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6																													
IV. NATURE OF SUIT (Place an "X" in One Box Only)		Click here for: Nature of Suit Code Descriptions .																													
<table border="1"> <thead> <tr> <th>CONTRACT</th> <th>TORTS</th> <th>FORFEITURE/PENALTY</th> <th>BANKRUPTCY</th> <th>OTHER STATUTES</th> </tr> </thead> <tbody> <tr> <td> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise </td> <td> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability PERSONAL PROPERTY <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - 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V. ORIGIN (Place an "X" in One Box Only)		<input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation - Transfer <input type="checkbox"/> 8 Multidistrict Litigation - Direct File																													
		Cite the U.S. Civil Statute under which you are filing (<i>Do not cite jurisdictional statutes unless diversity</i>): 28 U.S.C. §1332																													
VI. CAUSE OF ACTION		Brief description of cause: Motor vehicle collision in Cliffside Park, NJ.																													
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$ In excess of \$150,000.00	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																											
VIII. RELATED CASE(S) IF ANY		(See instructions): JUDGE _____ DOCKET NUMBER _____																													
DATE 05/13/2022		SIGNATURE OF ATTORNEY ON RECORD <i>/s/ ASB3587</i> 																													
FOR OFFICE USE ONLY																															
RECEIPT # _____		AMOUNT _____	APPLYING IFP _____	JUDGE _____ MAG. JUDGE _____																											

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ROMAN GORIVODSKY	:	CIVIL ACTION
100 Old Palisade Road, Apt. 1508	:	
Fort Lee, NJ 07024	:	No. _____
Plaintiff,		
v.	:	
AMAZON LOGISTICS	:	
1165 Sanctuary Parkway	:	
Alpharetta, GA 30009	:	
Defendant.		

COMPLAINT

Plaintiff, Roman Gorivodsky (“Mr. Gorivodsky,” or “Plaintiff”), through his undersigned attorneys, brings the following Complaint against the above-captioned Defendant.

PARTIES

1. Plaintiff is an adult individual, citizen, resident and domiciliary of the State of New Jersey, with a home address of 100 Old Palisade Road, Apt. 1508, Fort Lee, NJ 07024.
2. Defendant, Amazon Logistics (“Amazon”) is, upon information and belief, a corporation, partnership or other business entity in the State of Georgia, with a principal place of business, place of incorporation and citizenship of 1165 Sanctuary Parkway, Alpharetta, GA 30009.

JURISDICTION AND VENUE

3. Jurisdiction is conferred pursuant to 28 U.S.C §1332 as Plaintiff is a citizen, resident and domiciliary of the State of New Jersey and Defendant has a principal place of business in, place of incorporation in and citizenship of the State of Georgia.
4. There is, therefore, complete diversity between all Plaintiffs and all Defendants.
5. The amount in controversy exceeds the sum of \$75,000.00, exclusive of interest, fees and costs.
6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(1) and (2), as the personal injuries that are the subject of this litigation occurred in Cliffside Park, NJ, within this District.

FACTS

7. On February 22, 2021, Mr. Gorivodsky was severely injured when Alberto Palma-Perez (“Mr. Palma-Perez”), while in the course and scope of employment with Amazon, negligently struck Mr. Gorivodsky’s vehicle from behind while Mr. Gorivodsky was stopped at a stop sign on Crescent Lane near the intersection with Railroad Avenue in Cliffside Park, NJ.
8. Such violent collision caused Mr. Gorivodsky to a) sustain the permanent injuries described below, that have caused his body to not heal or function normally with further medical treatment; and b) suffer significant financial harm.

COUNT ONE – NEGLIGENCE

9. Plaintiff incorporates, by reference, the foregoing paragraphs, as though set forth fully herein.
10. As the direct and proximate cause of Defendant’s negligence as stated above, Mr.

Gorivodsky has suffered severe permanent physical injury, disfigurement and financial loss.

11. The injuries that Mr. Gorivodsky has sustained are permanent in nature. Mr. Gorivodsky has suffered great physical and mental pain and anguish, and in all reasonable probability, will continue to suffer in this manner for a long time in the future, if not for the balance of his natural life.
12. As a further result of the above negligent acts committed by Defendant, Mr. Gorivodsky has incurred and will continue to incur substantial medical expenses for medical care and attention and will continue to incur additional medical expenses into the foreseeable future.
13. As a further result of the above negligent acts committed by Defendant, Mr. Gorivodsky has incurred and will continue to incur substantial financial harm due to vehicular property damage.
14. In addition, Mr. Gorivodsky has suffered other economic injury and will likely continue to suffer such economic injury.
15. Defendant, vicariously, through its agent/employee/authorized representative, Mr. Palma-Perez, operated its vehicle in such a careless and/or negligent manner as to have caused the aforesaid collision to occur.
16. Defendant had a duty to Mr. Gorivodsky to not employ individuals who would operate its vehicle in such a careless and/or negligent manner.
17. Defendant breached said duty, as set forth below.
18. As a direct and proximate result of the aforesaid acts, omissions, carelessness and/or negligence on the part of Defendant, Mr. Gorivodsky suffered severe personal injuries; has been and will be in the future, made to endure great pain and suffering, both physical and mental in nature, has been and will be in the future required to expend great sums of money

for medical services; has been and will be in the future prevented from attending to his regular activities, duties and responsibilities; has been and will in the future be made to suffer lost earnings and other pecuniary loss.

19. The aforesaid accident was caused by the negligence and/or carelessness of Defendant because it, itself, and/or, vicariously, through its agent/employee/authorized representative, Mr. Palma-Perez:

- a) Failed to keep its vehicle under control at all relevant times;
- b) Caused its vehicle to be driven at an excessive speed under the circumstances;
- c) Violated the Assured Clear Distance Ahead Rule;
- d) Disregarded traffic signals and signs;
- e) Failed to keep a proper lookout;
- f) Violently struck Plaintiff's vehicle from behind;
- g) Was driving in distracted fashion;
- h) Negligently hired Mr. Palma-Perez;
- i) Negligently trained Mr. Palma-Perez;
- j) Negligently caused/forced Mr. Palma-Perez to drive its vehicle when she was in an unfit physical and/or mental condition to do so;
- k) Caused its vehicle to be in an unsafe condition; and
- l) Otherwise failed to exercise due care under the circumstances.

20. As the result of the above-referenced accident, Mr. Gorivodsky suffered painful and serious injuries, including, but not limited to:

- a) disc herniation at C5-C6;
- b) right wrist TFC tear;
- c) sinus tarsi syndrome with ligamentous damage;

- d) C5-C6 and L5 radiculopathy;
- e) other radiculopathy;
- f) cervicalgia;
- g) nerve damage throughout his body;
- h) strains, sprains, disc bulges and disc herniations throughout his body, the extent of which is presently unknown;
- i) torn ligaments and tendons throughout his body, the extent of which is presently unknown;
- j) head injuries, the extent of which is presently unknown; and
- k) emotional harm, the extent of which is presently unknown.

21. As a result of such accident, Mr. Gorivodsky has incurred medical expenses and will continue to incur said medical expenses for an indefinite time into the future.

22. As a result of such accident, Mr. Gorivodsky has incurred unreimbursed property loss/damages and will continue to incur said expenses for an indefinite time into the future.

23. As a result of such accident, Mr. Gorivodsky suffered grievous pain and suffering and may continue to suffer same for an indefinite time into the future.

24. As a result of such accident, Mr. Gorivodsky has suffered lost wages, and will suffer a loss of future earnings capacity.

25. As a further result of such accident, Mr. Gorivodsky has suffered and will continue to suffer a loss of life's pleasures.

WHEREFORE, Plaintiff, Roman Gorivodsky, demands judgment against the Defendant, Amazon Logistics, in an amount in excess of \$150,000.00, plus costs, fees and whatever additional relief that this Honorable Court deems just and appropriate.

THE BARRIST FIRM, LLC



Adam S. Barrist, Esq.
THE BARRIST FIRM, LLC
P.O. Box 1820
Media, PA 19063

Attorney for Plaintiff

Date: May 13, 2022

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ROMAN GORIVODSKY	:	CIVIL ACTION
100 Old Palisade Road, Apt. 1508	:	
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Plaintiff,		
v.	:	
AMAZON LOGISTICS	:	
1165 Sanctuary Parkway	:	
Alpharetta, GA 30009	:	
Defendant.		

JURY DEMAND

Plaintiff, Roman Gorivodsky, hereby demands a trial by twelve (12) jurors.

Respectfully submitted,

THE BARRIST FIRM, LLC



By: _____

Adam S. Barrist, Esq.
THE BARRIST FIRM, LLC
P.O. Box 1820
Media, PA 19063

Attorney for Plaintiff

Date: May 13, 2022